## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE

MICHAEL W. SHELL,	)
Plaintiff,	)
V.  J.J.B. HILLIARD, W.L. LYONS, INC., and THE PNC FINANCIAL SERVICES GROUP, INC.,	) No.: 3:05-cv-245 ) (Phillips/Guyton) )
Defendants.	)

## AGREED PROTECTIVE ORDER

COME the Plaintiff and the Defendants, by and through their respective counsel, and submit to this Court their agreement that all discoverable secret proprietary business information, financial, tax, medical, and personnel/employment records and files of the parties (and their current and former employees), including information contained in any and all relevant insurance policies, and all information/documents regarding Plaintiff's employment subsequent to his employment by Defendants, shall be under protective order, according to the terms of this Order, and kept strictly confidential. No such designation will preclude any opposing party from challenging the propriety of any such designation by motion. However, the parties agree that they shall first contact opposing counsel in a good faith effort to resolve any dispute over the designation of a document as "CONFIDENTIAL" prior to filing a motion seeking intervention by the Court.

To the extent discoverable, any such information and documents shall be used only for the strict purposes of this pending litigation, as may be appealed, and may be divulged only to the attorneys of record for the parties (and their staff and agents where necessary), the parties to this action, potential or actual witnesses, or the Court under seal. All documents subject to this Order shall be marked "CONFIDENTIAL" by the discosing party to the extent possible. Filed 06/28/06 Page 1 of 2 PageID #: 1

The parties further agree that upon request any and all copies of such documents shall be returned to the producing party or destroyed at the conclusion of this pending litigation, as may be appealed. Notwithstanding the foregoing provision, counsel for each party may retain one archival copy of all pleadings and exhibits in this litigation for malpractice purposes, regardless of whether such pleadings or exhibits (including appendices) contain or refer to confidential information.

This Protective	e Order is necessa	ary to protect	the privacy	of the parties.
ENTER this _	26 th day of	JUNE	, 2006.	

Thomas	V. Milling U.S. District Court Judge
	U.S. District Court Judge

## APPROVED FOR ENTRY:

/s/Link A. Gibbons	/s/ Kelli L. Thompson
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